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SEED INTELLECTUAL PROPERTY LAW GROUP PLLC
701 FIFTH AVE
SUITE 5400
SEATTLE, WA 98104

EXAMINER
VEZERIS, JAMES A

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 February 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *23-100* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *23-100* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date *12/04/2008*.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

Final Action

1.   Applicant's submission of an information disclosure statement under 37 CFR

1.97(c) with the fee set forth in 37 CFR 1.17(p) on 12/04/2008 prompted the new

ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS**

MADE FINAL. See MPEP § 609.04(b). Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Response to Applicant's Arguments

2.   Applicant's arguments with respect to claims 23-100, under 102(e) have been

considered but are moot in view of the new ground(s) of rejection. Examiner notes that

amendments to the claims force a new grounds of rejection to be made.

3.   Applicant's arguments, see page 17, filed 8/22/08, with respect to the

specification have been fully considered and are persuasive. The objection of abstract

has been withdrawn.

4.   Applicant's arguments, see page 17, filed 8/22/08, with respect to the 112 2nd

paragraph rejection of claims 32, 41, 42, 71, 72, 90, and 91 been fully considered and

are persuasive. The rejections of the aforementioned claims are removed.

5.   Applicant's arguments, see page 21, filed 8/22/08, with respect to the rejection of

claim 24 has been fully considered and is not found persuasive. Azuma clearly shows

three different types of data in the cited parts.

6.   Applicant's arguments, see page 21, filed 8/22/08, with respect to the rejection of

claim 30 has been fully considered and is not found persuasive. Examiner notes that

programming involves the need to instantiate a hierarchy of object instances and it is

inherent in programming that one does so- further to be able to program object

instances one must be able to manage the objects in a meta structure.

7.   Applicant's election with traverse of Group II in the reply filed on 2/9/2009 is

acknowledged. The traversal is on the ground(s) that the groups should be examined

together. The Examiner consulted with his supervisor and believes applicant is correct

in asserting groups I and II be examined together. Examiner apologizes to the applicant

for the two restriction requirements, and acknowledges claims 23-100 will be currently

pending.

Claim Rejections- 35 U.S.C. 103(a)

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

9.   Claims 23-100 are rejected under 35 U.S.C. 103(a) as being unpatentable over

US Patent 6954761 to Azuma in view of US Patent 6253191 to Hoffman. (Hereinafter

"Hoffman")

Regarding Claim 23.

Azuma teaches teaches managing and analyzing enterprise portfolio data,

comprising:

a portfolio analyzer component that is stored in the memory and that is

structured, when executed, to present a plurality of views of the portfolio data as

represented by the portfolio representation structure, wherein the views dynamically

calculate and present multi-dimensional characterizations of the portfolio data while

items are added using the portfolio manager. (See Col 6 Lines 23-49)

Azuma fails to teach:

a memory;

a portfolio manager component that is stored in the memory and that is

structured, when executed, to add to a portfolio representation structure items that

correspond to transactions on the portfolio data, the portfolio data including financial

investments; and;

Hoffman teaches:

a memory; (See Column 8 Lines 54-64)

a portfolio manager component that is stored in the memory and that is

structured, when executed, to add to a portfolio representation structure items that

correspond to transactions on the portfolio data, the portfolio data including financial investments; and; (See Summary, Figs. 9a and 9b)

Examiner notes applicant's argument that Azuma does not teach a portfolio representation structure that represents a portfolio. However, in combination with Hoffman Azuma can be modified to include financial portfolios and therefor with rational from KSR the rejection covers all aspects of the claim.

It would have been obvious to one of ordinary skill in the art to include memory, and a portfolio manager component in the system of Azuma as taught by Hoffman since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Regarding Claim 24.

Azuma further teaches the portfolio data is from heterogeneous data sources that store data in a plurality of formats. (See Col 5 lines 38-52)

Regarding Claim 25.

Azuma further teaches the portfolio data represents investments from distinctive parts of an organization. (See Col 5 lines 38-52)

Regarding Claim 26.

Azuma further teaches the organization parts include at least two of management, marketing, sales, product management, manufacturing, research, development, IT, finance, operations, consulting, engineering, and human resources.

(See Col 5 lines 38-52)

Regarding Claim 27.

Azuma further teaches the portfolio data includes project management characterizations. (See Col 5 lines 38-52)

Regarding Claim 28.

Azuma further teaches the plurality of views includes at least one dimensioned attribute. (See Col 5 lines 38-52, Figs 20a-c)

Regarding Claim 29.

Azuma further teaches the dimensioned attribute includes at least two of actual value, baseline value, plan value, target value, and scenario value. (See Col 5 lines 38-52, Fig 20a-c)

Regarding Claim 30.

Azuma further teaches:

a meta-object data management system for managing the portfolio representation structure. (See Col 1 Lines 19-52)

Regarding Claim 31.

Azuma further teaches the structure is hierarchical. (See Col 1 Lines 19-52)

Regarding Claims 32, 63, and 82.

Azuma teaches representing, managing, and analyzing investments of an organization, comprising:

receiving a request to display data from a plurality of the object instances according to an attribute specification; and (See Col 6 Lines 23-49)

displaying the object instances of the plurality of object instances that match the attribute specification, in a manner that is in accordance with the attribute specification, so that multi-dimensional views of the matching objects are computed and displayed dynamically. (See Col 6 Lines 23-49)

Azuma fails to further teach:

instantiating a hierarchy of object instances, each object instance representing an investment of the organization, wherein at least two object instances representing data from different categories of investments that are different from each other;

Hoffman teaches instantiating a hierarchy of object instances, each object instance representing an investment of the organization, wherein at least two object instances representing data from different categories of investments that are different from each other; (See Summary, Figs. 9a and 9b)

Examiner notes that programming involves the need to instantiate a hierarchy of object instances and it is inherent in programming that one does so.

It would have been obvious to one of ordinary skill in the art to include in the system of Azuma, at least two object instances representing data from different categories of investments that are different from each other, as taught by Hoffman since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Regarding Claims 33, 64, and 83.

Azuma further teaches supporting changes to the hierarchy of object instances while displaying the object instances that match the attribute specification, thereby concurrently allowing online transaction processing while supporting online analysis. (See Col 6 Lines 23-49)

Regarding Claims 34, 65, and 84.

Azuma further teaches the request to display data according to an attribute specification is received as properties of a datasheet associated with an object instance in the hierarchy. (See Col 6 Lines 23-49)

Regarding Claims 35, 66, and 85.

Azuma further teaches each object instance having constituent attributes with associated values, wherein the displaying of the object instances that match the attribute specification further comprises:

determining from each matching object instance the constituent attributes and associated values; (See Col 6 Lines 23-49)

dynamically constructing a virtual object instance to represent each aggregation of matching objects that is not already an instantiated object; (See Col 6 Lines 23-49)

displaying the constructed virtual objects along with the matching object instances. (See Col 6 Lines 23-49)

Regarding Claims 36, 67, and 86.

Azuma further teaches each virtual object instance automatically aggregates appropriate attributes of children object instances and children virtual object instances.

(See Col 6 Lines 23-49)

Regarding Claims 37, 68, and 87.

Azuma further teaches at least one of the aggregated attributes represents time-

phased data values. (See Col 6 Lines 23-49)

Regarding Claim 38.

Azuma further teaches the attributes of the children instances specify whether

they are to be aggregated to a parent virtual object instance. (See Col 6 Lines 23-49)

Regarding Claims 39, 69, and 88.

Azuma further teaches a value associated with at least one attribute is a

dimensioned value. (See Col 6 Lines 23-49)

Regarding Claims 40, 70, and 89.

Azuma further teaches the dimensioned value comprises at least two of actual

value, baseline value, plan value, target value, and scenario value. (See Fig 20a-c)

Regarding Claims 41, 71, and 90.

Azuma further teaches the datasheet defines a dynamically created multi-

dimensional view of the instantiated object hierarchy that is not previously stored in the

computer system. (See Col 6 Lines 23-49; Fig 20a-c))

Regarding Claims 42, 72, and 91.

Azuma further teaches each child object instance of a parent object instance

represents a relationship whereby the investment associated with the parent object

instance is an aggregation of the child object instances associated with the parent

object instance. (See Col 6 Lines 23-49)

Regarding Claims 43, 73, and 92.

Azuma further teaches the investments are part of an enterprise portfolio

management system. (See Col 5 Lines 39-52)

Regarding Claim 44.

Azuma further teaches the investments comprise heterogeneous data types in

the form of at least two of financial investments, project management, collections of

projects, programs, assets, human resources, products, portfolios, initiatives,

applications, operations, processes, and activities. (See fig 20a-c)

Regarding Claim 45.

Azuma further teaches the enterprise portfolio management system managing

enterprise portfolios, wherein the enterprise portfolios comprise at least two of

engineering, marketing, product management, manufacturing, sales, information

technology, finance, human resources, research, development, and professional

services portfolios. (See fig 20a-c; Col 5 Lines 39-52)

Regarding Claims 46, 74, and 93.

Azuma further teaches the investments include time-phased data. (Col 9 Lines

14-31)

Regarding Claims 47, 75, and 94.

Azuma further teaches the time-phased data is stored in a manner that indicates

a first designated time period in a virtual object instance and is stored in a manner that

indicates a second designated time period in the object instances that are children of

the virtual object instance that stores the time-phased data. (See Fig 17; Col 9 Lines 14-37)

Regarding Claim 48.

Azuma further teaches the first designated time period is at least one of weekly, monthly, quarterly, and annually. (See Fig 17; Col 9 Lines 14-37)

Regarding Claim 49.

Azuma further teaches the second designated time period is at least one of daily and hourly. (See Fig 17; Col 9 Lines 14-37)

Regarding Claim 50.

Azuma further teaches the second designated time period is a custom defined range. (See Fig 17; Col 9 Lines 14-37)

Regarding Claim 51.

Azuma further teaches the first designated time period is a custom defined range. (See Fig 17; Col 9 Lines 14-37)

Regarding Claims 52, 76, and 95.

Azuma further teaches a change to time-phased data of a virtual object instance is automatically reflected in changes to object instances that are children of the virtual object instance in which the change occurred. (See Fig 17; Col 9 Lines 14-37)

Regarding Claims 53, 77, and 96.

Azuma further teaches the object instances of the plurality that match the attribute specification is filtered based upon a security role associated with the request.

(See Col 6 Lines 23-49)

Regarding Claims 54, 78, and 97.

Azuma further teaches:

indicating that the request to display data according to the attribute specification

is to be applied to a different plurality of object instances of the hierarchy; (See Col 6

Lines 23-49)

automatically modifying the display of the object instances to include object

instances from the different plurality that match the attribute specification. (See Col 6

Lines 23-49)

Regarding Claim 55.

Azuma further teaches the indication is to copy the request and the display of

object instances includes the object instances from the plurality that match the attribute

specification in addition to objects instances from the different plurality. (See Col 6 Lines

23-49)

Regarding Claim 56.

Azuma further teaches the indication is to move the request and the object

instances from the plurality that match the attribute specification are removed from the

display unless the object instances from the plurality that match are also instances of

the different plurality. (See Col 6 Lines 23-49)

Regarding Claims 57, 79, and 98.

Azuma further teaches each object instance having constituent attributes with

associated values, further comprising:

associating a chart definition with the request to display data according to the

attribute specification, the chart definition having an associated set of chart parameters;

(See Col 6 Lines 23-49)

automatically determining values for the associated chart parameters based

upon the constituent attributes of the object instances that match the attribute

specification. (See Col 6 Lines 23-49; fig 20a-c)

Regarding Claims 58, 80, and 99.

Azuma further teaches:

presenting a chart that corresponds to the chart definition, such that the values

displayed by the chart are automatically determined from the values associated with the

constituent attributes of the object instances that match the attribute specification. (See

Col 6 Lines 23-49; fig 20a-c, Fig 19)

Regarding Claims 59, 81, and 100.

Azuma further teaches:

associating the chart definition with a request to display data from a different

plurality of object instances according to a second attribute specification; (See Col 6

Lines 23-49; Fig 19)

automatically re-determining the values for the associated chart parameters

based upon the constituent attributes of the object instances from the different plurality

that match the second attribute specification. (See Col 6 Lines 23-49; Fig 19)

Regarding Claim 60.

Azuma further teaches the second attribute specification is the same as the attribute specification. (See Col 6 Lines 23-49; Fig 19)

Regarding Claim 61.

Azuma further teaches the chart definition is moved. (See Col 6 Lines 23-49; Fig 19)

Regarding Claim 62.

Azuma further teaches the chart definition is copied. (See Col 6 Lines 23-49; Fig 19)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES A. VEZERIS whose telephone number is (571)270-1580. The examiner can normally be reached on Monday-alt. Fridays 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on 571-272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James A. Kramer/   /JAMES A VEZERIS/
Supervisory Patent Examiner, Art Unit 3693   Examiner, Art Unit 3693

5/26/2009